

Docket No. DEP5156USNP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicants : Kolb

Serial No. : 10/664,238

Art Unit: 3731

Filed

: September 17, 2003 Examiner: Robert, Eduardo

For

: Bone Fixation Plates

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

> pecember 22, 2005 Amy Schick

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on July 20, 2005.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information \boxtimes Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in $\S1.491$, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with [] the first or second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or \Box Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is

accompanied by one of:

☐ Statement in Accordance with §1.97(e)			
(attached); or			
Please charge Deposit Account No. 10-			
0750/ / the fee of $$180.00$ as set forth			
in §1.17(p).			
In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of $$180.00$ as set forth in §1.17(p).			
Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.			
Copies of references listed on the attached Form PTC 1449 are enclosed herewith EXCEPT THAT:			
In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.			
If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.			
○ Copies of only foreign patent documents and non-			
patent literature are enclosed in accordance with 37 CFR 1.98			

(a)(2).

There are no listed references which are not in the					
English language.					
☐ The relevance of those listed references which are					
not in the English language is as follows:					
Attached is a copy of a search report(s) from					
corresponding patent application PCT/US04/24975 which may be					
deemed relevant.					
Attached are the following non-published pending					
patent applications which may be deemed relevant, which are					
listed on the attached Submission Under MPEP 609 D.					

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/DEP5156/DAL. This form is submitted in triplicate.

Respectfully submitted,

David A. Lane, Jr.

Reg. No. 39,261

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (508) 880-8488 DATED:

PTO/SB/08A (08-00) Approved for use through 10/31/2002. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 1 of 1

,	a collection of information unless it displays a valid OMB control florities.				
	Application Number	10/664,238			
	Filing Date	09/17/2003			
	First Named Inventor	Kolb, Eric			
	Group Art Unit	3731			
	Examiner Name	Reip, David Owen			
	Attorney Docket Number	DEP5156USNP			

U.S. PATENT DOCUMENTS U.S. Patent Document **Date of Publication** Pages, Columns, Lines, Name of Patentee or Applicant Kind Code Examiner of Cited Document where relevant passages or of Cited Document Number (if known) relevant figures appear No.1 mm-dd-yyyy 12/11/2003 2003/0229348 Sevrian

FOREIGN PATENT DOCUMENTS Foreign Patent Document Date of Publication Pages, Columns, Lines, of Cited Document where relevant Name of Patentee or Examiner Cite passages or relevant mm-dd-yyyy Applicant of Cited Document figures appear Initials Office³ Number⁴ KindCode5 No.1

Examiner	Date	
Signature	Considered	

1 Unique citation designation number, 2 See attached Kinds of U.S. Patent Documents, 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. s Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.